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[REDACTED] EXAMINER

HAMILTON, MONPLAISIR G

ART UNIT	PAPER NUMBER
2172	

DATE MAILED: 08/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.	09/779,556	Applicant(s)	HAN ET AL.
Examiner	Monplaisir G Hamilton	Art Unit	2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 25 July 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on 25 July 2003 is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
- 4) Interview Summary (PTO-413) Paper No(s) _____ .
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____

DETAILED ACTION

1. Claims 1-20 remain for examination.

Priority

2. Applicant's translation of the foreign priority papers has been made of record. US 6396998 issued to Nozaki et al, is no longer applicable as prior art. 37 CFR 1.55. MPEP § 201.15.

Response to Arguments

3. Applicant's arguments with respect to Claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Drawings

4. The drawings are objected to because Fig. 9B filed on 02/09/01 indicated that the ICB tag format was conventional/prior art. Applicants proposed spelling correction of standardization, filed 7/25/03, affected Fig. 10 and removed conventional art from Fig 9B. Applicant cannot withdraw Fig 9B as conventional or prior art. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

5. Claims 1-7 are objected to because of the following informalities: “and/or” renders the claim indefinite. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1 and 3 are rejected under 35 U.S.C. 102(e) as being anticipated by US 6047103 by Yamauchi et al, herein referred to as Yamauchi.

Referring to Claim 1:

Yamauchi discloses a file managing method in reproducing a rewritable disk, comprising the steps of: (a) checking the file names and/or directories of files written in the rewritable disk (col 14, lines 5-40); and (b) providing a message indicating that reproduction is impossible when the file names and/or directories are against a standard file scheme pre-specified for a disk containing real time data (col 20, 55-65).

Referring to Claim 3:

Yamauchi discloses the limitations as discussed in Claim 1 above. Yamauchi further discloses steps (a) and (b) are conducted when the reproduction is requested (col 14, lines 20-25).

7. Claim 4 is rejected under 35 U.S.C. 102(e) as being anticipated by US 6490683 issued to Yamada et al, herein referred to as Yamada.

Referring to Claim 4:

Yamada discloses a file managing method in recording a data stream in a rewritable disk, comprising the steps of: (a) checking a file name and/or directory of the file requested to be recorded in the rewritable disk (col 19, lines 10-17; col 20, lines 5-25);
(b) providing a message indicating that reproduction would fail later if recorded as requested when the file name and/or the directory is against a standard file scheme pre-specified for a disk containing real-time data file (col 19, lines 30-45; col 21, lines 4-13).

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8. Claim 8 is rejected under 35 U.S.C. 102(e) as being anticipated by US 6330571 issued to Bills et al, herein referred to as Bills.

Referring to Claim 8:

Bills discloses a method conducted in a computer for-managing files written in a rewritable disk, comprising the steps of: (a) checking the file type if the file is requested to be renamed or moved (col 1, lines 10-15; col 2, line 65-col 3, line 10); and
(b) providing a message indicating that disk reproduction would be impossible after the file is renamed or moved, if the file type is one among pre-specified file types (col 3, lines 35-45)

9. Claim 15 and 18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by over US 6425098 issued to Sinquin et al., herein referred to as Sinquin.

Referring to Claim 15:

Sinquin discloses a file managing method in recording data stream in a rewritable disk, comprising the steps of: (a) checking whether or not a file structure formed in the rewritable disk conforms to a standard file system pre-specified for a disk containing real-time data stream (col 3, lines 10-25); (b) correcting the file structure of the rewritable disk if the file structure is against the standard file system (col 3, lines 15-20) and (c) writing input data stream in a data file belonging to the corrected file structure (col 3, line 19; col 11, lines 15-60).

Referring to Claim 18:

Sinquin disclose the limitations as discussed in Claim 15. Sinquin further discloses the file structure is against the standard file system if the file recording information written in a navigation file does not accord with existing data stream files (col 4, lines 25-35).

Referring to Claim 19:

Sinquin disclose the limitations as discussed in Claim 15. Sinquin further discloses copying the file structure before correction, and makes the copied file structure be distinguishable from the corrected file structure (col 4, lines 10-20).

Referring to Claim 20:

Sinquin discloses the limitations as discussed in Claim 15. Sinquin further discloses a message asking whether or not the requested recording operation is proceeded if the file structure is against the standard file scheme (col 12, lines 5-15), and corrects the file structure of the rewritable disk if the requested recording operation is demanded again (col 4, lines 10-20; col 13, lines 9-55).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 6047103 by Yamauchi et al, herein referred to as Yamauchi further in view of US 57783814 issued to Sandifer, Michael A., herein referred to as Sandifer.

Referring to Claim 2:

Yamauchi discloses the limitations as discussed in Claim 1 above.

Yamauchi does not explicitly discloses "the reason why the reproduction is impossible is contained in said message"

Sandifer discloses the reason why the reproduction is impossible is contained in said message (col 29, lines 40-45).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teaching of Yamauchi such that a reason for the error is contained in error message. One of ordinary skill in the art would have been motivated to do this because it would provide the user with an indication of what is causing the error.

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11. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 6490683 issued to Yamada et al, herein referred to as Yamada in view of US 6425098 issued to Sinquin et al., herein referred to as Sinquin.

Referring to Claim 5:

Yamada discloses the limitations as discussed in Claim 4 above.

Yamada does not explicitly disclose “recording received data as requested if the request of record is received again after the message being provided”

Sinquin discloses recording received data as requested if the request of record is received again after the message being provided (col 3, lines 10-25; col 12, lines 5-20).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Yamada such that recording is continued when an error message is received. One of ordinary skill in the art would have been motivated to do this because it would allow the user to ignore a message (col 12, lines 15-19).

Referring to Claim 6:

Yamada discloses the limitations as discussed in Claim 4 above.

Yamada does not explicitly disclose “deleting information received when the file record is requested if the request of record is cancelled after the message being provided”

Sinquin discloses deleting information received when the file record is requested if the request of record is cancelled after the message being provided (col 12, lines 5-20).

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At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Yamada such that information is deleted when a cancel request is received. One of ordinary skill in the art would have been motivated to do this because it would allow the user to abort a recording (col 12, lines 15-19).

12. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 6490683 issued to Yamada et al, herein referred to as Yamada in view of US 6425098 issued to Sinquin et al., herein referred to as Sinquin further in view of US 57783814 issued to Sandifer, Michael A., herein referred to as Sandifer.

Referring to Claim 7:

Yamada and Sinquin disclose the limitations as discussed in Claim 4 above.

Yamada and Sinquin do not explicitly discloses “the reason why the reproduction is impossible is contained in said message”

Sandifer discloses the reason why the reproduction is impossible is contained in said message (col 29, lines 40-45).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teaching of Yamauchi such that a reason for the error is contained in error message. One of ordinary skill in the art would have been motivated to do this because it would provide the user with an indication of what is causing the error.

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13. Claims 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 6330571 issued to Bills et al, herein referred to as Bills in view of US 6425098 issued to Sinquin et al., herein referred to as Sinquin.

Referring to Claim 9:

Bills disclose the limitations as discussed in claim 8 above.

Bills does not explicitly disclose “renaming or moving the file as requested, if the requested file operation is demanded again after the message being provided”.

Sinquin discloses renaming or moving the file as requested, if the requested file operation is demanded again after the message being provided (col 12, lines 7-20).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify Bills such that the rename is executed despite the error message. One of ordinary skill in the art would have been motivated to do this because it would allow the user to ignore an error message.

Referring to Claim 10:

Bills disclose the limitations as discussed in claim 8 above.

Bills does not explicitly disclose “discloses the pre-specified file types is indicative of a file containing real-time data”

Sinquin discloses the pre-specified file types is indicative of a file containing real-time data (col 3, lines 58-60).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify Bills such that the datalink information corresponds to real-time data. One of ordinary skill in the art would have been motivated to do this because it would allow the protection of video information (col 1, lines 60-65).

Referring to Claim 11:

Bills disclose the limitations as discussed in claim 8 above.

Bills does not explicitly disclose "the pre-specified file types are designated by means of file names defined in a file system standardized for a rewritable disk containing real-time data stream".

Sinquin discloses the pre-specified file types are designated by means of file names defined in a file system standardized for a rewritable disk containing real-time data stream (col 8, lines 10-20).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Bills such that the file-type is specified in a standard of real-time data. One of ordinary skill in the art would have been motivated to do this because it would allow the system to encode/decode the disc properly (col 7, lines 5-20; col 8, lines 10-20).

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14. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 6330571 issued to Bills et al, herein referred to as Bills in view of Applicants' admitted prior art, Fig. 9B, herein referred to admitted prior art.

Referring to Claim 12:

Bills disclose the limitations as discussed in claim 8 above.

Bills does not explicitly disclose “step (a) refers to a 1-byte type field written in a table of information control block (ICB) tag contained in a file entry addressed by an ICB field of a file identifier descriptor”

Applicant admitted prior art discloses a 1-byte type field written in a table of information control block (ICB) tag contained in a file entry addressed by an ICB field of a file identifier descriptor.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify Bills with a 1-byte descriptor that defines the file as a datalink type file. One of ordinary skill in the art would have been motivated to do this because it would allow the system to quickly use the prefix table to determine the file type.

15. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 590170 issued to Chen et al in, herein referred to as Chen in view of US 6330571 issued to Bills et al, herein referred to as Bills.

Referring to Claim 13:

Chen disclose a method conducted in a computer for managing files written in a rewritable disk, comprising the steps of: (a) checking the types of all files under a directory (col 18, lines 15-25); and (b) the type of at least a file under the directory is one among pre-specified file types (col 18, lines 5-25).

Chen does not explicitly "the directory is requested to be renamed and providing a message indicating that disk reproduction would be impossible after the directory is renamed.

Bill discloses the directory is requested to be renamed and providing a message indicating that disk reproduction would be impossible after the directory is renamed (col 12, line 65-col 3, lines 10).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teaching of Chen such that a virus attempts to rename a directory, the rename operation would fail. One of ordinary skill in the art would have been motivated to do this because it would prevent the virus from corrupting the system.

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16. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable US 590170 issued to Chen et al in, herein referred to as Chen in view of US 6330571 issued to Bills et al, herein referred to as Bills further in view of US 6425098 issued to Sinquin et al., herein referred to as Sinquin.

Referring to Claim 14:

Chen and Bills disclose the limitations as discussed in claim 14 above.

Chen and Bills do not explicitly disclose “renaming the directory as requested, if the requested operation is demanded again after the message being provided”.

Sinquin discloses renaming the directory as requested, if the requested operation is demanded again after the message being provided (col 12, lines 7-20).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify Chen and Bills such that the rename is executed despite the error message. One of ordinary skill in the art would have been motivated to do this because it would allow the user to ignore an error message.

17. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 6425098 issued to Sinquin et al., herein referred to as Sinquin in view of US 6330571 issued to Bills et al, herein referred to as Bills.

Referring to Claim 16:

Sinquin disclose the limitations as discussed in Claim 15.

Sinquin does not explicitly disclose the file structure is against the standard file system if a directory pre-defined in the standard file system is not found.

Bills discloses the file structure is against the standard file system if a directory pre-defined in the standard file system is not found (col 3, lines 45-50).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Sinquin to determine if the directory is not valid. One of ordinary skill in the art would have been motivated to do this because it would allow the user to determine if a directory is present or not (col 3, line 9-15).

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18. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 6425098 issued to Sinquin et al., herein referred to as Sinquin in view of US 6047103 issued to Yamauchi et al, herein referred to as Yamauchi.

Referring to Claim 17:

Sinquin disclose the limitations as discussed in Claim 15.

Sinquin does not explicitly disclose the file structure is against the standard file system if the file name of a data file containing real-time data stream is different from the file name predefined-in the standard file system.

Yamauchi discloses disclose the file structure is against the standard file system if the file name of a data file containing real-time data stream is different from the file name predefined-in the standard file system (col 20, lines 55-65).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Sinquin to include a determination that the file structure is erroneous by evaluating the file name. One of ordinary skill in the art would have been motivated to do this because it would allow the system to determine erroneous media.

Prior Art

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6603923 issues to Ando, Hideo et al. Ando discloses an information recording medium according to the present invention comprises a first area which records common information which can be commonly played back by a plurality of types of information playback apparatuses provided by different manufacturers or distributors and complies with common standards, a second area which records specific information which can be played back by only an information playback apparatus of a specific type provided by a specific manufacturer or distributor, and a third area which records link information indicating a link between the common information and specific information. An information recording method according to the present invention comprises the steps of: recording common information which can be commonly played back by a plurality of types of information playback apparatuses provided by different manufacturers or distributors and complies with common standards; recording specific information which can be played back by only an information playback apparatus of a specific type provided by a specific manufacturer or distributor; and recording link information indicating a link between the common information and specific information.

US 6529682 issued to Okada, Tomoyuki et al. Okada discloses through the file system, the data in the disc can be dealt with as a directory or a file as shown in FIG. 41A. All the data to be dealt with by the DVD recorder are put on a VIDEO_RT directory under a ROOT

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directory as shown in FIG. 41A. A file to be dealt with by the DVD recorder is roughly classified into two kinds, that is, one management information file and at least one AV file (ordinarily, a plurality of files). Next, the contents of the management information file will be described with reference to FIG. 42A. The management information file is roughly divided into a VOB table and a PGC table. VOB (Video Object) means a program stream of MPEG. PGC defines the playback order of Cell which uses any partial section (or all sections) in the VOB as one logical playback unit. In other words, the VOB is a unit which is significant as the MPEG, and the PGC is a unit at which a player plays back.

US 6226241 issued to D'Amato, Andrea et al. D'Amato discloses Files to be stored are selected from time to time and are divided into packets. The packets are then recorded in a program area of the compact disc together with link, run-in and run-out blocks in a format compatible with the Orange Book rules for linking incrementally recorded packets. File linking information is also stored with each file. If desired, files may, but need not, be recorded in a form compatible with existing CD-ROM and drivers adhering to the ISO-9660 standard. As selected files are recorded, file and directory information are stored in a first storage area either in a host system or in a track of the compact disc in a double linked and highly efficient format. From time to time, and if desired, this information may be recorded in ISO 9660 format in a reserved first track of a session.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monplaisir G Hamilton whose telephone number is 1703-305-5116. The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on 1703-305-4393. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 1703-305-3900.

Monplaisir Hamilton



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